

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA

NO. 3:23-CR-0067

v.

ROBERT ALEXANDER GAITAN (06)

RAFAEL SOLIZ, JR. (08)

a.k.a. "Rafi"

a.k.a. "JUNIOR"

MOTION FOR DETENTION AND MOTION TO CONTINUE
DETENTION HEARING

The United States moves for pre-trial detention of defendants Robert Alexander Gaitan and Rafael Soliz, Jr. a.k.a. "Rafi" a.k.a. "Junior," pursuant to 18 U.S.C. § 3142.

1. Eligibility of Case. This case is eligible for a detention order because the case involves (check all that apply):

☐ Crime of violence (18 U.S.C. §3156);

☐ Maximum sentence life imprisonment or death

☒ 10 + year drug offense

☐ Felony, with two prior convictions in above categories

☒ Serious risk defendant will flee

☒ Serious risk obstruction of justice

☐ Felony involving a minor victim

☐ Felony involving a firearm, destructive device, or any other
dangerous weapon

_____ Felony involving a failure to register (18 U.S.C. § 2250)

2. Reason for Detention. The Court should detain defendant because there are no conditions of release which will reasonably assure (check one or both):

 X Defendant's appearance as required

 X Safety of any other person and the community

3. Rebuttable Presumption. The United States will invoke the rebuttable presumption against defendant because (check one or both):

 X Probable cause to believe defendant committed 10+ year drug offense or firearms offense,

_____ Probable cause to believe defendant committed a federal crime of terrorism, 18 U.S.C. § 2332b(g)(5)

_____ Probable cause to believe defendant committed an offense involving a minor, 18 U.S.C. §§ 1201, 2251

_____ Previous conviction for "eligible" offense committed while on pretrial bond

4. Time For Detention Hearing. The United States requests the Court conduct the detention hearing,

_____ At first appearance

 X After continuance of 3 days (not more than 3).

DATED this 11th day of May 2023.

Respectfully submitted,

LEIGHA SIMONTON
UNITED STATES ATTORNEY

/s/ Rick Calvert
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing will be served on counsel for the defendant in accordance with the Federal Rules of Criminal Procedure on the 11th day of May, 2023.

/s/ Rick Calvert
Rick Calvert
Assistant United States Attorney